

**Excerpt from the
CITY PLANNING COMMISSION MINUTES
Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

250 South Fourth Street, Room 300
Minneapolis, MN 55415-1385
(612) 673-2597 Phone
(612) 673-2526 Fax
(612) 673-2157 TDD

MEMORANDUM

DATE: November 2, 2011

TO: Steve Poor, Planning Supervisor – Zoning Administrator, Community Planning & Economic Development - Planning Division

FROM: Hilary Dvorak, Interim Supervisor, Community Planning & Economic Development - Planning Division, Development Services

CC: Jason Wittenberg, Interim Director, Community Planning & Economic Development Planning Division

SUBJECT: Planning Commission decisions of November 14, 2011

The following actions were taken by the Planning Commission on November 14, 2011. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued.

Commissioners present: President Motzenbecker, Cohen, Huynh, Luepke-Pier, Mammen, Tucker and Wielinski – 7

Not present: Carter (excused) and Schiff (excused)

Committee Clerk: Lisa Baldwin (612) 673-3710

3. Kaah Adult Daycare (BZZ-5391, Ward 8), 325, 331 and 341 E Lake St and 3009 and 3013 Clinton Ave ([Becca Farrar](#)).

A. Rezoning: Application by Fowsia Harum, on behalf of Kolar Center, LLC, Birrell Center, LLC, and Nancy Hirshfield et al, for a petition to rezone the properties located at 325, 331 and 341 E Lake St and 3009 and 3013 Clinton Ave from the C1 (Neighborhood Commercial) district to the C2 (Neighborhood Corridor Commercial) district in order to allow an adult day care/development achievement center known as Kaah Adult Daycare as a permitted use within an existing building on the premises. The rezoning request would also allow additional uses within the existing buildings on the premises.

Action: The City Planning Commission recommended that the City Council adopt the findings and approve the rezoning petition to change the zoning classification of the properties located at 325, 331 and 341 E Lake St and 3009 and 3013 Clinton Ave from the C1 district to the C2 district.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the consent agenda (Luepke-Pier seconded).

The motion carried 6-0.

4. Jackson Flats (BZZ-5357 and Vac-1545, Ward 1), 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE ([Janelle Widmeier](#)).

A. Conditional Use Permit: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a conditional use permit to allow 35 dwelling units for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and approved the application for a conditional use permit to allow 35 dwelling units for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

B. Conditional Use Permit: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a conditional use permit to allow a home occupation within a specific area of the building designated for such use for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and approved the application for a conditional use permit to allow a home occupation within a specific area of the building designated for such use for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

C. Variance: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a variance to reduce the front yard requirement adjacent to 18 ½ Ave to allow a walkway and stairs exceeding 6 feet in width and a landing exceeding 36 square feet in area for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and approved the application for a variance to reduce the front yard requirement adjacent to 18 ½ Ave NE to allow a walkway and stairs exceeding 6 feet in width and a landing exceeding 36 square feet in area for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

D. Variance: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a variance to reduce the minimum parking requirement by one space for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and approved the application for a variance to reduce the minimum parking requirement by one space for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following condition:

1. At least one bicycle parking space per dwelling unit that complies with bicycle parking requirements for long term and/or short term spaces in section 541.180 of the zoning code shall be provided.

E. Site Plan Review: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a site plan review for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and approved the application for site plan review to allow a multi-family dwelling with 35 units for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, floor, site and landscape plans.
2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by December 16, 2012, or the permit may be revoked for non-compliance.
3. On the south first floor elevation of the studio/community room additional architectural elements shall be provided to eliminate a blank, uninterrupted wall exceeding 25 feet in width as required by section 530.120 of the zoning code.
4. The development shall comply with the home occupation standards found in Chapter 535, Article VII Home Occupations of the zoning code.

F. Vacation: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for an alley vacation (east/west portion only) for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission recommended that the City Council adopt the findings and approve the alley vacation for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Staff Widmeier presented the report.

Commissioner Wielinski: I notice that we got a new piece in our packet. Can you tell us what the differences are with the old and the new?

Staff Widmeier: At the corner, the parapet wall has been extended up a little bit, a couple feet for the elevator overrun that's still within the maximum height allowed for the R4 district. The maximum allowed is 56 feet, they're at 52 and a half feet. They adjusted the windows on the

south building wall of the community room so they eliminate that need for alternative compliance of having a blank wall that doesn't have any architectural elements for 25 feet. You can see the extension of that elevator overrun also on the west elevation and then it doesn't really show up that much on the north or east elevation, you can just kind of see it in the background.

President Motzenbecker opened the public hearing.

Joe Busch (1843 Quincy St NE): The only concern that I personally have with Jackson Flats is that if it doesn't pan out for artist stuff is it going to turn into some type of Section 8 housing.

President Motzenbecker: That'd probably be a question for the developer. We can get that answered for you.

Nancy Przymus (1501 23rd Ave NE): I represent the Logan Park Neighborhood Association. We just came here to speak in favor of all of these applications.

Andrew Commers: I am an employee of Artspace. I'm one of the directors of property development. Artspace is working with Northeast CDC as you all may know. Also working with Urban Works and we have the architect here with us today if there are questions pertaining to his purview. I won't go into the project history unless folks are curious.

President Motzenbecker: I think just the question that Mr. Busch had would be great.

Andrew Commers [not on sign-in sheet]: We are not planning for it to be a Section 8 building. We have not applied for project based Section 8 rental assistance and the effort, as with every Artspace project, will be to fill the project with artists. We're going to be working with Northeast CDC and Logan Park to oversee that process and we expect a very successful outcome.

Commissioner Cohen: You have a number of projects you said?

Andrew Commers: Artspace Projects does. We have 30 projects.

Commissioner Cohen: This is an Artspace project?

Andrew Commers: It is.

Commissioner Cohen: How many of the 30 projects have Section 8 housing?

Andrew Commers: I am not sure of the exact number, but I do not think that any of the projects have it.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved all the applications A-F (Huynh seconded).

President Motzenbecker: All those in favor? Opposed?

The motion carried 6-0.

5. Zoning Code Text Amendment (Ward: All), ([Jason Wittenberg](#)).

A. Text Amendment: Amending Title 20 of the Minneapolis Code of Ordinances as follows:

Amending Chapter 551 relating to Zoning Code: *Overlay Districts*.

The purpose of the amendment is to classify additional Pedestrian Oriented Overlay Districts as transit station areas.

Action: The City Planning Commission recommended that the City Council adopt the findings and approve the zoning code text amendment, amending chapter 551.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the consent agenda (Luepke-Pier seconded).

The motion carried 6-0.